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Lambda Letters Project

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A Victory for Domestic Partners Rights

By Boyce Hinman, Chief Lobbyist

On June 29 the California Supreme Court handed a sweeping victory to domestic partners in California by refusing to hear an appeal of a lower court ruling which said that AB 205 is not in violation of Proposition 22. As a result, AB 205 is now a valid and enforceable law in California.

AB 205, signed by Governor Davis in 2003, provides most of the rights of marriage to domestic partners in California. Only Massachusetts and Vermont provide more of the benefits of marriage to domestic partners.

Proposition 22 is a constitutional amendment that was passed by the voters of California in 2000. It attempts to define marriage in California as between only one woman and one man. Proposition 22 was a constitutional amendment. As such, it can be changed or overturned only by a new vote of the people.

The June 29 victory was sweeping. Both a superior court (the lowest level) and a state appeals court ruled that AB 205 does not violate Proposition 22. The California Supreme Court refused, in a unanimous decision, to hear an appeal on the case. That

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Book Informs About AB 205 Rights, Duties

By Boyce Hinman, Chief Lobbyist

As you will see from the accompanying article on this page, all legal challenges to AB 205 have been put to rest by the California Supreme Court. This means that all the rights and duties made available to domestic partners in California by AB 205 are now in place and enforceable. But that is only the beginning of the story.

AB 205 is a complex law. It provides a very wide range of duties and responsibilities for registered domestic partners. Only Massachusetts and Vermont provide more rights and duties to same-sex couples.

AB 205 provides the basis for many people to get domestic partner health insurance from their employers. It requires employers who provide health insurance to the spouses of their employees to do the same for the registered domestic partners of their employees. AB 205 nails down the right of a domestic partner to visit when his or her partner is in the hospital.

Note, of course, that these and all other benefits provided by the law go only to those who take the formal step of registering their domestic partnership with the California

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LLP Board Candidates Are Needed

The Lambda Letters Project (LLP) is seeking to increase the number of members on its board of directors.

Currently there are 10 members on the board. We probably need about 18 members for the board to be fully functional.

We invite you to read the following material about board duties and qualifications. Please consider joining our board. Membership on the Lambda Letters Project board of directors can be one of the most exciting and fulfilling experiences of your life.

Board Candidate Description

The Lambda Letters Project board of directors is a working board. Board members are expected to devote approximately 10 to 20 hours per month to LLP.

Board candidates will serve a three-month probationary period, during which time she or he will be assigned a board mentor. Probationary board members will be approved or not approved at the next regularly scheduled board meeting after the probationary period begins.

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Lambda Letters Progress Report

Letters and Messages Collected

June, 2005	29,956 letters & e-mails
In all of 2005	227,733 letters & e-mails

Dollars Spent

June, 2005	$4,097
In all of 2005	$28,549

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Our Mission

To promote the social, economic, and human rights of lesbian, gay, bisexual, transgender and intersex individuals, couples, and families; people affected by HIV/AIDS; people of color; and women. We do this by urging elected officials to enact and support legislation that accomplishes this goal.

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Discrimination Complaints

Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin, race, religion, or sex? Have you been denied family and medical care leave or pregnancy disability leave? If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at (800) 884-1684. In cases of housing discrimination, call (800) 233-3212. The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

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LGBTI Issue

Make AB 19 a Reality Again

By Shirin Buckman, Legislative Analyst

After the defeat on the Assembly floor of AB 19, the Religious Freedom and Civil Marriage Protection Act, bill author Mark Leno (D–San Francisco) has reintroduced the bill under a different number.

With the permission of Assemblymember Patty Berg (D–Eureka), Leno removed the language of Berg's bill, AB 849, which had already passed the Assembly, and replaced it with the language of the Religious Freedom and Civil Marriage Protection Act. It is the same bill under a different name. AB 849, in its new version, has already passed the Senate Judiciary Committee. Once it passes the Senate floor, it will be returned to the Assembly floor for their agreement with the changes made to the bill in the Senate. With your help, we can make AB 849 law before the Legislature ends its year on September 9.

If this bill passes, California could be the first state whose legislature passed a same-sex marriage bill. *We urge you to write to your senator to pass this bill.*

The loss of AB 19 was difficult to stomach because it only needed four more votes to pass on the Assembly floor; 41 votes were needed. On the first vote there were 35 yes votes. A second vote was taken, which garnered 37 yes votes. Leno and the bill's supporters struggled all day but were unable to obtain the 41 votes needed for passage; 13 Democrats either abstained, were absent, or voted no. AB 19 was dead because it had not been approved in the Assembly by the June 3 deadline for Assembly approval.

Normally that would be the end of the story. Leno would have to come back with a new bill next year and start over from scratch. In that case, the bill would have had to be approved by the same Assembly committees before a new vote could be taken on the Assembly floor.

AB 849 is a magnificent second chance *this year* to ensure that the principles of equality are administered under California law. Like AB 19, AB 849 would end California's discriminatory practice of denying marriage licenses to same-sex couples. However, the bill also makes it clear, and

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Women's Issue

Stop the Bullying of Poor, People of Color

By Kathleen Watanabe, Legislative Analyst

The long-standing war on drugs has been lost, yet the multibillion-dollar government juggernaut continues to trample everything in its way, including the civil rights of innocent people. Prosecution of the war and punishment falls disproportionately on the poor and people of color.

In 1996 Congress passed the federal Welfare Reform Law of 1996. One little-noticed provision stuck into the bill put a lifetime ban on Temporary Assistance for Needy Families (TANF) benefits (better known as welfare) for persons convicted of felony drug offenses.

TANF replaced the Aid to Families with Dependent Children (AFDC), Emergency Assistance (EA), and Job Opportunities and Basic Skills Training (JOBS) programs. It is a block grant program to the states. The California Work Opportunity and Responsibility to Kids (CalWORKs) is the California program that allocates these funds to low-income families.

There is a provision in the federal TANF law that allows states to opt out of the lifetime felony drug conviction ban. California was one of many states that did not opt out when it changed its welfare laws in 1997.

Ironically, the CalWORKs program has a substance abuse treatment program. However, the current law prohibits CalWORKs funds to be used on people who have been convicted of violating drug laws. As a consequence, the very people who need help the most—those needing drug treatment services to become employable—are ineligible to receive it.

These laws were passed during a time when politicians touted their "tough on crime" credentials. However, the vast majority of people convicted of violating drug laws are not drug dealers. They are usually poor people and people of color.

Lawmakers also had the false notion that persons with felony drug convictions would misuse public benefits to support a substance abuse habit. The current law

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HIV/AIDS Issue

Permit Condom Distribution in Prisons

By Joy Fisher, Legislative Analyst

It is estimated that 10 to 45 percent of prison inmates engage in sex in prison. This occurs for a variety of reasons ranging from trading sexual favors for commodities to becoming the unwilling victims of sexual assault.

Although many people would like to ignore this fact, closing one's eyes to the truth is a costly proposition in the end. Too often the result of unprotected sex in prison is the transmission of HIV/AIDS.

Because of the high rate of intravenous drug use prior to going to prison, inmates entering correctional facilities already have a higher rate of HIV/AIDS than the general population. When inmates then engage in unprotected sex while in prison, the HIV/AIDS virus is spread.

The HIV/AIDS infection rate in prison is documented to be five times higher than in the general population, and most experts believe the actual infection rate is far higher than what is documented.

The problem is often compounded when released inmates unwittingly infect their spouses or partners when they return home.

The solution to this problem doesn't require the mind of a rocket scientist. Plain common sense dictates that making condoms available to inmates while they are in prison will reduce the spread of HIV/AIDS.

AB 1677 adopts this simple solution. It would require the Director of Corrections to allow any nonprofit or public healthcare agency to distribute condoms and dental dams to inmates in a manner that protects the health and safety of inmates while not putting correctional officers at risk.

The solution proposed by AB 1677 is neither revolutionary nor untested. Most of the industrialized world has distributed condoms in prisons for years, including virtually all of the European Union, Canada, Brazil, South Africa, and parts of Australia. The Canadian federal prison system has been distributing condoms to prisoners since 1982. Fears that condoms would somehow be used as

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People of Color Issue

Stop the Slavery of Human Trafficking

By Marty Martinez, Legislative Analyst

Considering that California is a state in which the majority are people of color, we should lead the nation in addressing the problem of the trafficking of human beings for forced labor or sexual servitude.

Trafficking has been called the new slavery of the global economy. Yet currently California is one of the top states in the nation for human trafficking.

AB 22 by Assemblymember Sally Lieber (D–San Jose) establishes the trafficking of adults and minors for forced labor, services, or sexual servitude as crimes that are punishable as felonies. The legislation would provide various sentencing enhancements for these offenses.

This bill is particularly important to people of color.

Approximately 17,500 people are trafficked into the US each year. East Asia (7,000), Latin America (5,500), and Europe/Eurasia (5,500) account for the vast majority of victims.

Many of them are put to work at unpaid labor. Many are forced to serve as sex slaves.

AB 22 is a positive step toward advancing racial justice. Please support this important legislation.

The bill is currently in the Senate Appropriations Committee. We hope they will have approved it and sent it to the Senate floor by the time you read this article.

Please write to your state senator in support of AB 22.

August Legislative Update

August is a partial recess month for the state legislature, which takes a month off from July 15 through August 14. The rest of the month of August, and September 1 through September 9, will be filled with frenetic activity as legislators try to pass as many bills as possible prior to the final deadline for this year. All bills must be passed and sent to the governor no later than September 9.

Almost all bills passed and signed by the governor by the deadline become effective on January 1, 2006. Any bill, however, can become effective as soon as the governor signs it if two-thirds of each house of the state legislature votes to have it take effect immediately. Sometimes the legislature will vote to have a bill become effective later than January 1, 2006. They do that when they think that the state government needs more time to prepare to do what is required by the bill.

The status of some bills listed below states that the bill is in the Appropriations Committee's suspense file. That usually means the bill is expected to cost the state more than $150,000. Votes on bills in the suspense file are usually put off until the deadline for getting bills out of the Appropriations Committee. This year that deadline is August 26.

Here is the latest status report on the bills we have been working on.

HIV/AIDS Issues

AB 73 (Dario Frommer, D–Los Angeles)
Purpose: To establish the California Rx Prescription Drug Web Site Program, which would provide information to California residents about options for obtaining prescription drugs at affordable prices. This bill would require the Web site, at a minimum, to provide information about—and establish electronic links to—certain federal, state, and pharmaceutical programs, and pharmacies that are located in Canada, the United Kingdom, and Ireland that meet specified requirements.
Status: Approved by the Assembly. Sent to the Senate Appropriations Committee suspense file.
LLP Position: Support.

AB 228 (Paul Koretz, D–West Hollywood)
Purpose: To prohibit a healthcare service plan and a health insurer from denying coverage for the costs of organ or tissue transplantation services on the basis that the enrollee, subscriber, insured, or policyholder is infected with HIV.
Status: Sent to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 547 (Patty Berg, D–Eureka)
Purpose: To allow local governments to establish and maintain clean needle and syringe exchange programs without having to declare a health state of emergency every two weeks.
Status: Approved by the Senate Health Committee. Sent to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 1142 (Mervyn Dymally, D–Compton)
Purpose: To establish a statewide African-American HIV/AIDS Initiative to address the disproportionate impact of HIV/AIDS on the health of African-Americans by coordinating prevention and service networks around the state and increasing the capacity of core service providers. The initiative would be implemented in five regional centers.
Status: Approved by the Senate Appropriations Committee. Awaiting a final vote on the Senate floor.
LLP Position: Support.

AB 1677 (Paul Koretz, D–West Hollywood)
Purpose: To require state prisons to allow nonprofits or healthcare agencies to distribute condoms and dental dams to prisoners in state prisons.
Status: Sent to the Senate Appropriations Committee for a vote on August 15.
LLP Position: Support.

LGBTI Issues

AB 12 (Chuck Devore, R–Irvine)
Purpose: To ask the California Law Revision Commission to study the feasibility of a law to provide that real property (such as a home) may be transferred to a beneficiary upon the death of the owner by recording, prior to the owner's death, a beneficiary deed signed by the owner of the property interest. Property transferred this way would not have to go through the long, expensive probate process.
Status: Sent to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 195 (Mervyn Dymally, D–Compton)
Purpose: When the State Personnel Board finds that a public employee (or an applicant for public employment) has been discriminated against by his or her employer in ways that are forbidden by state law, it may order that the employee be hired, reinstated, or upgraded with or without back pay and compensatory damages. Discrimination on the basis of sexual orientation or gender identity are among the prohibited forms of discrimination. This bill would permit the State Personnel Board to

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award attorneys fees to the complainant.
Status: Sent to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 220 (Mark Leno, D–San Francisco, Chair, Committee on Public Domestic Violence)
Purpose: To amend several codes' sections that refer to "battered woman syndrome" and change those references to "intimate partner battering." This bill would therefore help members of LGBTI couples who are subject to this battering.
Status: Awaiting a final vote on the Senate floor.
LLP Position: Support.

AB 378 (Judy Chu, D–Monterey Park)
Purpose: All persons in California have the right to be free from any violence, or intimidation by threat of violence, because of their race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, or position in a labor dispute, or because another person perceives them to have any of those characteristics. Existing law allows an attorney general, district attorney, city attorney, or aggrieved individual to bring a civil action against any person who interferes by threats, intimidation, or coercion, with the exercise or enjoyment of an individual's rights. This bill would increase the statute of limitation for the initiation of such an action from one year to three years.
Status: Approved by the Senate and sent to the governor for signature or veto.
LLP Position: Support.

AB 723 (Judy Chu, D–Monterey Park)
Purpose: To require school districts to provide classes in tolerance for all the groups covered by California's hate crimes laws.
Status: Sent to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 849 (Mark Leno, D–San Francisco)
Purpose: To allow same-sex couples to obtain marriage licenses in California and to establish that no clergy or religious organization can be required to solemnize any marriage to which they have a religious objection. (This original bill was gutted and amended. It now contains the wording of AB 19 which died on the Assembly floor.)
Status: Approved by the Senate Judiciary Committee. Referred to the Senate Appropriations Committee for a vote on August 15.
LLP Position: Support.

AB 866 (Leland Yee, D–San Francisco)
Purpose: Current law has a form statement that candidates for political office may sign on a voluntary basis. It is a pledge to engage in a fair and clean campaign. This bill would amend the pledge to include a statement that the candidate will not use, or permit to be used, any appeal to negative prejudice based on sexual orientation or gender identity.
Status: Awaiting a final vote on the Senate floor.
LLP Position: Support.

AB 1400 (John Laird, D–Santa Cruz)
Purpose: To amend the Unruh Civil Rights Act to prohibit discrimination on the basis of familial status, marital status, and sexual orientation.
Status: Awaiting a final vote on the Senate floor.
LLP Position: Support.

AB 1586 (Paul Koretz, D–West Hollywood)
Purpose: To prohibit health insurance providers from refusing to insure transgender people.
Status: Has been made a two-year bill. No action will be taken on it until 2006. It missed the deadline for getting out of policy committee.
LLP Position: Support.

HR 16 (Loni Hancock, D–El Cerrito)
Purpose: To proclaim June 2005 as Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month. It urges Californians to celebrate the accomplishments and contributions of the LGBT community.
Status: Awaiting a vote on the Assembly floor. If approved by the Assembly it would go to the Senate.
LLP Position: Support if the date is changed to June 2006.

SB 300 (Sheila Kuehl, D–Los Angeles)
Purpose: To increase the circumstances under which an employer must allow an employee to take up to 12 weeks of unpaid leave to care for a seriously ill family member. The need to care for a domestic partner would be added to the list, among others.
Status: Sent to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

SB 565 (Carole Migden, D–San Francisco)
Purpose: To end the practice of reappraising (and raising the property taxes on) a home owned by two registered domestic partners when one of the partners dies. Would also end the practice of reappraising a home owned by one of them when the owner makes his or her co-owner a joint owner of the home.
Status: Awaiting a vote in the Assembly Appropriations Committee.
LLP Position: Support.

SB 973 (Sheila Kuehl, D–Los Angeles)
Purpose: To entitle employees of state and local governments (and school districts) who retired prior to January 1, 2001, to elect or change any optional retirement allowance, if specified criteria are satisfied. This would apply to their domestic partners too.
Status: Approved by the Assembly PERS Committee. Sent to the Assembly Appropriations Committee for a vote on August 17.
LLP Position: Support.

SJR 11 (Christine Kehoe, D–San Diego)
Purpose: To urge Congress and the president to adopt the Military Readiness Enhancement Act of 2005 (HR 1059), which institutes a policy of nondiscrimination based on sexual orientation, and to repeal the "Don't Ask, Don't Tell" policy.
Status: Awaiting a vote on the Senate floor. If approved by the Senate it would go to the Assembly.
LLP Position: Support.

People of Color Issues

AB 13 (Jackie Goldberg, D–Los Angeles)
Purpose: To prohibit, with certain exceptions, public schools from using the name "Redskins" as a school or team mascot, name, or nickname.
Status: Awaiting a final vote on the Senate floor.
LLP Position: Support.

AB 15 (Jerome Horton, D–Inglewood)
Purpose: To encourage schools to include a discussion of the contributions of Filipinos to the war effort during World War II.
Status: Awaiting a final vote on the Senate floor. If approved there, it will have to return to the Assembly for concurrence with changes made in the Senate.
LLP Position: Support.

AB 22 (Sally Lieber, D–San Jose)
Purpose: To establish the crime of trafficking of a person for forced labor or services and the crime of trafficking of a minor for sexual servitude, both punishable as felonies. This bill would also require restitution to trafficking victims. It would also require the Attorney General to make fighting human trafficking a high priority.
Status: Approved by the Senate Judiciary Committee. Referred to the Senate Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 74 (Mike Gordon, D–El Segundo)
Purpose: To establish the California Prescription Telephone Drug Hotline, which would provide information to consumers and healthcare providers about options for obtaining prescription drugs at affordable prices. People would call a low-cost (maximum 50 cents) toll phone number.
Status: Has been made a two-year bill. No action will be taken until 2006.
LLP Position: Support if amended to make the hotline available through a toll-free number.

AB 75 (Dario Frommer, D–Los Angeles)
Purpose: To establish the California Rx Plus State Pharmacy Assistance Program, which would provide low-cost drugs to low-income Californians. This bill would authorize the state to negotiate drug rebate agreements with drug manufacturers to provide for program drug discounts. Would authorize any licensed pharmacy or drug manufacturer to provide services under the program.
Status: Has been made a two-year bill. No action will be taken until 2006.
LLP Position: Support.

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Legislative Update

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AB 76 (Dario Frommer, D–Los Angeles)
Purpose: To establish the Office of Pharmaceutical Purchasing within the California Health and Human Services Agency with authority and duties to purchase prescription drugs for state agencies. This bill would authorize the office to negotiate the lowest prices possible for prescription drugs.
Status: Has been referred to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Watch over concerns whether this is the most efficient way to reduce costs and also ensure that all necessary medications are available to patients.

AB 77 (Dario Frommer, D–Los Angeles)
Purpose: To establish a pilot project requiring the Department of Corrections to contract with outside agencies to provide healthcare services, including medications, to prison inmates. The purpose of the pilot project would be to see if it would reduce the department's costs.
Status: Has been referred to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 124 (Mervyn Dymally, D–Compton)
Purpose: To require each state agency to establish an equal opportunity program to ensure that the state policy of providing equal access to state jobs, work assignment, training, and other employment-related opportunities for all qualified job applicants and employees—based on merit and nondiscrimination in every aspect of personnel policies and employment practices—is fully implemented. It would require the State Personnel Board to collect employment data based on race, disability, ethnicity, and gender.
Status: Referred to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 368 (Noreen Evans, D–Santa Rosa)
Purpose: To require the state and counties to provide various welfare-to-work services and childcare services, maintain a safety net for children, encourage and assist family stability and unity, and assist and serve eligible legal aliens.
Status: Has been made a two-year bill. No action will be taken until 2006.
LLP Position: Support.

AB 379 (Noreen Evans, D–Santa Rosa)
Purpose: To allow the following activities to be counted toward the 20-hours-per-week core activity requirement of the CalWORKs program: satisfactory progress in a secondary school or in a course of study leading to a certificate of general education development, vocational education and training, secondary school or general educational development, or other activities necessary to assist an individual in obtaining unsubsidized employment.
Status: Referred to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 432 (Jenny Oropeza, D–Long Beach)
Purpose: To increase the number of places and the time in which new citizens may register and vote. Also reduces the time before election day they must have become a citizen in order to register and vote.
Status: Approved by the Assembly. Failed in the Senate Elections Committee. The right to ask for reconsideration granted.
LLP Position: Support.

AB 477 (Joe Baca, D–San Bernardino)
Purpose: To require the department to establish a four-year pilot project that would authorize certain individuals, who are not financially eligible to receive in-home supportive services, to purchase those services. The bill would require the pilot project to be conducted in three counties that consent to participate, and would require the department to develop eligibility guidelines for individuals who purchase services under the pilot project
Status: Referred to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 482 (Loni Hancock, D–Berkeley)
Purpose: To require that certain limited-English students take an achievement test in English and then again in their native language.
Status: Referred to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Watch.

AB 680 (Wilma Chan, D–Oakland)
Purpose: Current law requires school districts with large language minority student populations to translate, into that minority language, all reports, notices, statements, and other documents sent to parents or guardians of those students. This bill would require the State Board of Education to monitor compliance with this law.
Status: Referred to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 775 (Leland Yee, D–San Francisco)
Purpose: To prohibit any state or local governmental agency, or any public or private agency that receives state funding, from using any child, or permitting any child to be used, as an interpreter, as defined, in any hospital, clinic, or physician office in the context of diagnosis and treatment, except as specified.
Status: Has been made a two-year bill. No action will be taken until 2006.
LLP Position: Support.

AB 855 (Karen Bass, D–Los Angeles)
Purpose: To provide that, with certain exceptions, a person convicted of drug-related felonies shall be eligible to receive CalWORKs or food stamp benefits if he or she meets certain conditions of eligibility. Does not apply to drug dealers or those who persuade minors to be drug dealers.
Status: Referred to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 1338 (Joe Nation, D–San Rafael)
Purpose: To require that a dependent child of the court who is not a citizen of the United States and for whom the court has determined parental reunification is no longer an option, be provided an attorney specializing in immigration law who may pursue special immigrant status or any other avenue to obtain legal permanent resident status or citizenship for that child.
Status: Referred to the Senate Appropriations Committee for a vote on August 15.
LLP Position: Support.

ACA 6 (Mark Wyland, R–Vista)
Purpose: To amend the state constitution to prohibit the state from issuing any driver's license or state identification card, providing in-state tuition or fees for postsecondary education, granting any voting privileges, or providing any health, social, or other state or local public benefit to any person who is neither a citizen of the United States nor any alien lawfully present in the United States, unless the privilege, service, or the benefit is required by federal law.
Status: Failed in the Assembly Judiciary Committee.
LLP Position: Oppose.

ACAX1 4 (Rick Keene, R–Chico)
Purpose: To amend the state constitution to require that reductions be imposed automatically on all General Fund appropriations enacted on or before the date of a proclamation by the governor that the state's income and expenses are significantly out of balance. The amounts of the cuts would be by a percentage estimated by the Director of Finance to cause total General Fund appropriations not to exceed General Fund revenues by the end of that fiscal year. The cuts would go into effect 45 days after the proclamation unless state legislators pass legislation to address the problem prior to that 45-day deadline.
Status: Referred to the Assembly Budget Process Committee. No hearing date set yet.
LLP Position: Oppose. Arbitrary, statewide cuts to all programs could be devastating to vital programs.

AJR 1 (Rudy Bermudez, D–Bellflower)
Purpose: To memorialize the president and Congress to urge the Citizens' Stamp Advisory Committee and the United States Postal Service to issue a commemorative stamp to honor Dr. Dalip S. Saund, an outstanding immigrant from India. This bill would encourage Californians to celebrate his birthday each year.
Status: Signed by the governor.
LLP Position: Support.

AJR 2 (Noreen Evans, D–Santa Rosa)
Purpose: To memorialize the president and Congress to honor the contributions of Filipino-American war veterans and direct the federal

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government to immediately pay promised veterans' benefits as the first order of business of the 109th Congress.
Status: Referred to the Senate Appropriations Committee. No hearing date set yet. **LLP Position:** Support.

SB 23 (Carole Migden, D–San Francisco)
Purpose: To require the Employment Development Department to send informational brochures on the Healthy Families and Medi-Cal programs to employers for distribution to their employees. This bill would establish a system to allow employees to have the family contribution payments for healthcare coverage under the Healthy Families Program deducted from the employee's pay and transmitted to the state. This bill would require the state to do outreach and marketing on the Healthy families program and Medi-Cal to enroll more qualified participants.
Status: Sent to the Assembly Appropriations Committee suspense file.
LLP Position: Support.

SB 60 (Gilbert Cedillo, D–Los Angeles)
Purpose: To allow certain undocumented immigrants to obtain drivers licenses in California. These licenses would permit them to drive legally. They would not be legal for identification purposes or for entering a federal building or an airplane.
Status: Sent to the Assembly Appropriations Committee for a vote on August 17.
LLP Position: Support.

SB 112 (Deborah Ortiz, D–Sacramento)
Purpose: The state Department of Social Services distributes funds from the federal Refugee Act of 1980 to the counties in California. These funds pay for employment-related and English language training programs to immigrant refugees in those counties. Currently the money is divided up by percentages of refugees on public assistance in each county. If 10% of the refugees statewide, who are on public assistance, live in County A, County A gets 10% of the funds. This bill would require the state in allocating Refugee Employment Services money to distribute the funds based on differential weights for refugees based on the length of time they have resided in the United States.
Status: Sent to the Assembly Appropriations Committee suspense file.
LLP Position: Support.

SB 388 (Charles Poochigian, R–Fresno)
Purpose: To establish a one-year pilot program to disseminate information regarding current prison penalties for the personal use of a firearm during the commission of certain felonies. Counties and cities would be invited to apply for funds.
Status: Sent to the Assembly Appropriations Committee suspense file.
LLP Position: Probably support, pending naming of the jurisdictions.

SB 645 (Joe Dunn, D–Santa Ana)
Purpose: To create the Commission on the Unconstitutional Deportation of American Citizens during the 1930s. The bill would require the commission to gather facts regarding the removal and coerced emigration to Mexico of United States citizens and legal residents of Mexican descent between 1929 and 1944. Private donations would be solicited and the commission would not begin work until it is determined that sufficient private donations have been received. The bill would also establish the 1930s Reparations Fund in the General Fund, which would allow people who were wrongly forced out of the country during that time to seek damages in court.
Status: Referred to the Assembly Appropriations Committee for a vote on August 17.
LLP Position: Support.

SB 670 (Joe Dunn, D–Santa Ana)
Purpose: To express the apology of the State of California to those individuals who, from 1929 to 1944, were illegally deported, or coerced into emigrating, to Mexico as a result of the Mexican Repatriation Program, and to require that a plaque be placed and maintained in a public place to commemorate this event.
Status: Approved by the Assembly Appropriations Committee. Sent to the full Assembly for a final vote in that house.
LLP Position: Support.

SB 840 (Sheila Kuehl, D–Los Angeles)
Purpose: To make all California residents eligible for specified healthcare benefits under the California Health Insurance System, which would, on a single-payer basis, negotiate for or set fees for healthcare services provided through the system and pay claims for those services.
Status: Has been made a two-year bill. No action will be taken until 2006.
LLP Position: Support.

SCR 18 (Jim Battin, R–La Quinta)
Purpose: To proclaim November 2005 as California Indian Heritage Month, encourage its observance with activities that celebrate our uniqueness as Americans, and commend California Indian nations for their outstanding contributions to this state.
Status: Approved by the legislature. Sent to the governor for signature or veto.
LLP Position: Support.

SCR 22 (Jim Battin, R–La Quinta)
Purpose: To proclaim September 15 to October 15, 2005, inclusive, as California Hispanic Heritage Month, and encourage all Californians to observe this event in communities throughout the state.
Status: Approved by the legislature. Sent to the governor for signature or veto.
LLP Position: Support.

Women's Issues

AB 21 (Lloyd Levine, D–Van Nuys)
Purpose: To require that a pharmacist dispense prescription drugs and devices in a timely way unless to do so would violate the pharmacist's moral views or when the pharmacist views the prescription to be illegal or contraindicated for the patient. This bill prescribes the conditions under which the pharmacist may refuse to dispense the prescribed item.
Status: Failed in the Senate Health Committee. Author can ask for a new vote later.
LLP Position: Oppose unless language allowing pharmacists to refuse to sell contraceptives is removed from the bill.

AB 48 (Sally Lieber, D–San Jose)
Purpose: To increase the minimum wage to $7.25 per hour, effective on and after July 1, 2006, and to $7.75 per hour, effective on and after July 1, 2007. Also to provide for the automatic adjustment of the minimum wage on January 1 of each year thereafter, calculated by multiplying the minimum wage by the previous year's rate of inflation.
Status: Referred to the Senate Appropriations Committee suspense file.
LLP Position: Support.

AB 70 (Bill Maze, R–Visalia)
Purpose: To require the Department of Motor Vehicles to provide a new set of license plates to a registered owner of a vehicle who provides certain evidence of having been the victim of rape or sexual battery.
Status: Approved by the legislature. Sent to the governor for signature or veto.
LLP Position: Support.

AB 99 (Rebecca Cohn, D–Campbell)
Purpose: To provide that restraining orders issued in domestic violence cases may have a duration of not more than five years (up from three years in current law) by the discretion of the court.
Status: Approved by the legislature. Sent to the governor for signature or veto.
LLP Position: Support.

AB 112 (Rebecca Cohn, D–Campbell)
Purpose: To require the courts to order priority for the enforcement of certain protective orders issued by the court. Priority would be given when an emergency protective order is issued based on the belief that there is imminent danger to the person or persons being protected. Also people being restrained by the order would be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a firearm while the protective order is in effect.
Status: Sent to the governor for signature of veto.
LLP Position: Support.

AB 114 (Rebecca Cohn, D–Campbell)
Purpose: To provide that when a defendant is accused of child abuse in a criminal action, evidence of the defendant's prior acts of domestic violence may be admitted to prove the defendant's conduct.

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Legislative Update

Continued from page 7

Status: Awaiting a final vote on the Senate floor.
LLP Position: Watch.

AB 169 (Jenny Oropeza, D–Carson)
Purpose: To increase the penalties for employers who pay women less than men for the same work and to mandate the types of damages employees should recover if they are successful in bringing a civil action against their employer for willful violations of pay equity law.
Status: Approved by the Senate Judiciary Committee. Referred to the Senate Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 322 (Jenny Oropeza, D–Long Beach)
Purpose: To enact the Athletes Bill of Rights and enumerate the rights available to a pupil relating to gender equity in athletics. The bill would require the State Department of Education to post the bill of rights on its Web site and require a school district that elects to offer competitive or club sports to its pupils to print and post posters setting forth the bill of rights in several locations in schools.
Status: Awaiting a final vote on the Senate floor.
LLP Position: Support.

AB 429 (Judy Chu, D–Monterey Park)
Purpose: To make several changes to law which increase the chances that a protective order, resulting from workplace violence or domestic violence, are promptly served on the accused.
Status: Awaiting a final vote on the Senate floor.
LLP Position: Support.

AB 478 (Sally Lieber, D–San Jose)
Purpose: Prison inmates who give birth in prison may be declared eligible for a community treatment program. This bill would require that the community treatment program include prenatal care, access to prenatal vitamins, childbirth education, and infant care. This bill would also require the Department of Corrections to establish minimum standards for pregnant inmates who are not eligible for the program, including necessary nutrition and vitamins, information and education, and regular dental cleanings.
Status: Sent to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 755 (Hector De La Torre, D–South Gate)
Purpose: To require employers to pay employees for any rest period mandated by statute, regulation, or order of the Industrial Wage Commission. Also to provide that the rate of pay for the rest periods of piece-rate workers in the agricultural and garment industries shall be the average piece-rate wage, defined and limited as specified. The bill would also provide that an employee working on a piece-rate basis who suffers injury as a result of the failure of an employer to pay required wages for rest periods shall be entitled to recover his or her unpaid average piece-rate wage for each rest period in any pay period in which a violation occurred.
Status: Referred to the Senate Appropriations Committee suspense file.
LLP Position: Support.

AB 813 (Joe Baca, D–San Bernardino)
Purpose: To require the State Department of Health Services to providing information to consumers, patients, and healthcare providers regarding women's heart health risks, including signs and symptoms, risk factors, importance of prevention, early detection through appropriate diagnostic testing, and treatment options.
Status: Referred to the Senate Appropriations Committee. Vote expected on August 15.
LLP Position: Support.

AB 855 (Karen Bass, D–Los Angeles)
Purpose: To provide that, with certain exceptions, a person convicted of drug-related felonies shall be eligible to receive CalWORKs benefits if he or she meets certain conditions of eligibility. This law would not apply to a person who has been convicted of unlawfully transporting, importing into this state, selling, furnishing, administering, giving away, possessing for sale, purchasing for purposes of sale, manufacturing a controlled substance, possessing precursors with the intent to manufacture a controlled substance, or cultivating, harvesting, or processing marijuana or any part thereof pursuant to Section 11358 of the Health and Safety Code.
Status: Referred to the Senate Appropriations Committee. No hearing date set yet.
LLP Position: Support.

ACR 2 (Rebecca Cohn, D–Campbell)
Purpose: To proclaim the month of October 2005 as Domestic Violence Awareness Month.
Status: Approved by the legislature. Sent to the governor for signature or veto.
LLP Position: Support.

AJR 3 (Rebecca Cohn, D–Campbell)
Purpose: To petition the president and Congress to protect and uphold the intent and substance of the Supreme Court decision in Roe *v.* Wade, relating to reproductive rights, and to encourage all Americans to participate in the national celebration, "The March for Women's Lives," in recognition of that decision's historic importance in promoting women's rights.
Status: Approved by the Senate. Returned to the Assembly for their agreement with changes made to the bill in the Senate.
LLP Position: Support.

SB 23 (Carole Migden, D–San Francisco)
Purpose: To require the Managed Risk Medical Insurance Board to create a pamphlet with information about the Healthy Families Program and Medi-Cal. The bill would require the Employment Development Department to notify employers who would be required to provide the notice to their employees. This bill would also require the board to establish processes allowing an employer to elect to permit employees to have their family contribution payments for healthcare coverage under the Healthy Families Program deducted from their pay and transmitted to the board by the employer, or to have the contribution payments transferred from a designated financial institution to the board.
Status: Referred to the Assembly Appropriations Committee for a vote on July 13.
LLP Position: Support.

SB 180 (Sheila Kuehl, D–Los Angeles)
Purpose: To require hospital-based training centers to train medical personnel on how to perform medical evidentiary examinations for victims of human trafficking, and to develop guidelines for the reporting and management of it. The bill would also require that peace officers be trained in identifying signs of human trafficking.
Status: Sent to the Assembly Appropriations Committee suspense file.
LLP Position: Support.

SB 493 (Sheila Kuehl, D–Los Angeles)
Purpose: To authorize a CalWORKs recipient to receive aid during a transitional period of three cumulative months during the individual's lifetime without participating in the Cal-Learn Program as a full-time student if the participant works with a Cal-Learn case manager to find an appropriate educational program and support that meet the needs of the participant.
Status: Placed in the Assembly Appropriations Committee suspense file.
LLP Position: Support.

SB 615 (Liz Figueroa, D–Fremont)
Purpose: To require the state to do an education campaign aimed at promoting the awareness of Human Papillomavirus (HPV) and its link to cervical cancer. The program would be supported by private donations or appropriations by the legislature.
Status: Approved by the Assembly Health Committee. Placed in the Assembly Appropriations Committee suspense file.
LLP Position: Support.

SB 644 (Deborah Ortiz, D–Sacramento)
Purpose: To require that a pharmacist dispense prescription drugs and devices in a timely way unless to do so would violate the pharmacist's moral views or when the pharmacist views the prescription to be illegal or contraindicated for the patient. This bill prescribes the conditions under which the pharmacist may refuse to dispense the prescribed item.
Status: Approved by the Assembly Appropriations Committee. Sent to the Assembly floor for a final

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vote in that house.
LLP Position: Support if moral and ethical reasons, as reason for refusing to dispense birth control pills, is removed from the bill. Religious objections would be the only valid reason.

SB 720 (Sheila Kuehl, D–Los Angeles)
Purpose: To authorize a district attorney or city attorney to initiate and pursue a court action for contempt against a party for failing to comply with a court order entered pursuant to the Domestic Violence Protection Act. The bill would require any attorney's fees and costs ordered against a party in contempt of the above provision to be paid to the Office of Emergency Services for the purpose of funding domestic violence shelter service providers. The bill would also require the courts to tell the police about contempt rulings in these cases.
Status: Sent to the Assembly inactive file. It is now on hold waiting for related bills to catch up to it. **LLP Position:** Support.

Victory for Domestic Rights

Continued from page 1

left the decision of the state appeals court in place. Only Justice Brown, who has been appointed to a US judgeship, failed to express an opinion on the subject.

Clearly the Supreme Court understood that domestic partnership and marriage are two separate institutions. The fact that marriage might be limited to one man and one woman has no bearing on who may be allowed to form domestic partnerships. This recent court decision suggests the courts may well uphold a bill like AB 19, which would allow same-sex couples to marry in California.

Proposition 22 amended Section 308 of the California Family Code, which dictates what marriages performed outside of California will be recognized in this state. By contrast, AB 19 amended Sections 300, 301, and 302 of the Family Code and added a new section (Section 403) to the Family Code. The State Supreme Court saw the difference between domestic partnership and marriage. They may well see that a bill like AB 19 would not violate Proposition 22 unless it amends the Family Code section wording approved when the voters approved Proposition 22.

I am encouraged about the prospects for same-sex marriage in California. I look forward to working on the passage of a bill that will finally end the denial of marriage rights to same-sex couples in our state. That bill may well be AB 849.

Board Candidates Needed

Continued from page 1

LLP board candidates and members are expected to:

- Have a good idea of the democratic decision-making process and what representation means, especially in the context of a very welcome and vibrant diversity of opinion. Each board member should consider leading/guiding an aspect of LLP work that furthers the LLP mission. This includes chairing and/or serving on one or more LLP committees.
- Attend and participate fully in face-to-face board meetings and committee meetings via telephone conference calls. Board members are expected to come prepared to participate in all meetings.
- Assist with LLP staffing needs at one or more pride festivals or other events during the year, particularly when the board-approved event is in her or his local area.
- Volunteer to serve on at least one standing committee, which carries its own workload and requires participation in regularly scheduled conference calls (usually monthly). All board members will be expected to take leadership on specific projects for their standing committee(s) and/or for the board as a whole.
- Check e-mail daily whenever possible. There is a constant flow of documents and other communications requiring board input. Board members are expected to respond promptly to queries from members, staff, and their board colleagues.
- Agree that no member of the LLP board of directors may receive compensation for engaging in activities normally associated with board duties, including serving on committees and/or holding an elected or appointed position. Board members and board candidates may be reimbursed for expenses incurred to attend meetings when authorized by the board or executive committee, and in circumstances stipulated by the board or executive committee prior to any expenditures. Board members are encouraged, whenever possible, to cover their own expenses.
- Work with the board, staff, and volunteers—as well as within individual subcommittees—to promote and advance the objectives and timelines for corporate and development outreach, planned giving, and annual giving, and assist in the development of ideas for the implementation of fundraising events. Board members should be willing to participate in at least two Lambda Letters Project fundraising activities during a six-month period.

LLP seeks candidates who:

- Have been a member of LLP for no less than three months
- Have an understanding of the mission, goals, and objectives of LLP
- Demonstrate respect for multicultural diversity and appreciation for multicultural organizations and people of diverse socioeconomic backgrounds
- Have experience as a board member in other nonprofit settings or educational institutions (desirable but not required)
- Have experience in one or more of the following areas: legal, financial, investment/endowment management, public relations, marketing, membership development, strategic planning, fundraising, grant writing, performance/program evaluation, technology, communications (desirable but not required)
- Show a willingness to work within a loose Robert's Rules of Order framework
- Display the capacity to disagree without being disagreeable

Interested LLP board candidates should contact Ellis Vance (*vev40@comcast.org*) or Stacy Saetta (*stacysaetta@sbcglobal.net*) to receive an application and more details on the board selection process.

HIV/AIDS Issue

Continued from page 3

weapons or to smuggle drugs or other contraband within prisons have not materialized.

In California, Los Angeles and San Francisco county jails have distributed condoms to inmates. In these cities and around the world, there are no cases in which a correctional authority started distribution and later reversed its policy because it proved to be unwise.

In the California correctional system, however, prisoners currently receive HIV prevention education, but are denied access to the protective devices recommended by that education! As a result of this unwise policy, the California Department of Corrections spends approximately $18 million a year for HIV/AIDS treatment for inmates. Treatment costs average about $23,000 per year per person. Even after inmates are released, this is often paid for by taxpayer dollars.

By providing a low-cost method of curtailing the spread of HIV/AIDS, AB 1677 can reduce the need for taxpayer dollars to be spent for the treatment of HIV/AIDS. From a fiscal as well as humane point of view, this bill makes eminent good sense.

The bill passed the Assembly by 41 votes, the bare minimum necessary. It was voted out of the Senate Health Committee and is currently awaiting a hearing in the Senate Appropriations Committee. We expect it to be approved by that committee.

Please write to the your senator. Your legislators need to hear your voice of reason!

LGBTI Issue

Continued from page 3

even reinforces, the principle that religious institutions retain the freedom to decide whether or not to perform same-sex marriages.

AB 849 would amend California's marriage laws to finally end the unequal status of same-sex families, who contribute equally to society. It also would provide a basis for legal challenges to the federal government's refusal to provide federal benefits to same-sex couples.

Please write your state senator to ask him or her to vote for this bill. This time, we must fight harder than before. Second chances do not come along every day.

Women's Issue

Continued from page 3

provides that aid payments on behalf of eligible family members be paid directly to vendors to pay for rent and utilities.

Assemblymember Karen Bass (D–Los Angeles) has now introduced AB 855, a bill which will remedy part of the problem and give worthy people the aid they deserve. It will amend California's current welfare law by removing the lifetime ban under certain circumstances.

AB 855 is a reasonable bill that everyone should be able to support. The bill would not remove the ban for persons convicted of unlawfully transporting, importing, selling, or manufacturing illegal drugs.

In order to become eligible for this program, an applicant convicted of a drug-related felony would also have to enroll in a government-recognized drug treatment program or show other evidence that illegal use has ended. In addition, counties would continue to issue vendor or voucher payments for rent and utility payments.

The legislature has tried since 2000 to change the opt-out law three times. Each time it was vetoed by then-Governor Gray Davis.

AB 855 has passed the Assembly and is now in the Senate. Please contact your senator. Ask your senator to support this important piece of legislation.

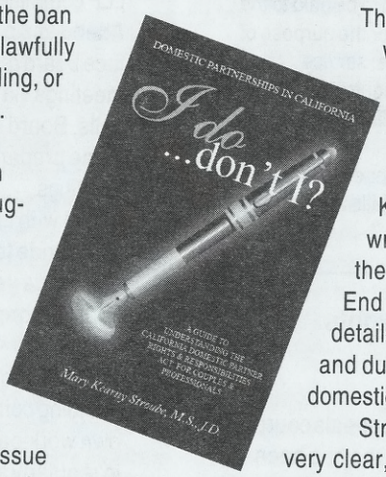
The government needs to stop posturing "tough on crime" attitudes and do what they were elected to do—help people who need help the most.

Rights, Duties from AB 205

Continued from page 1

secretary of state's office.

It is equally important to note that AB 205 puts significant obligations on registered domestic partners. One of the big ones is that registered domestic partners must now go through the equivalent of divorce court in order to end a domestic partnership. Until that is done, the parties cannot register a new partnership with the secretary of state. If a registered domestic partnership ends, and the couple had children together, AB 205 dictates that one of them may owe child support.



Therefore it is imperative to be well educated about the effects of AB 205 before deciding whether or not to register your partnership.

Attorney Mary Kearny Stroube, MS, JD, has written an excellent book on the subject. *I Do...Don't I?* (Wit's End Press, 2005) gives a detailed explanation of the rights and duties granted by AB 205 to domestic partners.

Stroube's book is written in very clear, enjoyable language. Her writing style make it almost fun to read. This could be a valuable book for you and your partner as you consider registering your relationship with the secretary of state.

Mary has kindly offered to donate $5 of the modest $23.95 purchase price to Lambda Letters for any books we sell for her. We invite you to purchase a copy of her book. To do so, you can complete the form below and send it along with your check in the envelope used to send your signed letters to Lambda Letters. Alternatively you can purchase the book online by going to the LLP website (*www.lambdaletters.org*).

Order Form for *I Do...Don't I?*

Please send me _____ copy(ies). I enclose a check for $ _____ made out to Wit's End Press ($27.56 includes $1.86 tax, $1.75 shipping per copy).

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